CULTURE, TOURISM, EUROPE AND EXTERNAL AFFAIRS COMMITTEE

INQUIRY ON THE NEGOTIATION OF THE FUTURE RELATIONSHIP BETWEEN THE EUROPEAN UNION AND THE UK GOVERNMENT

SUBMISSION FROM UK-EU (ANIMAL WELFARE) TASKFORCE

Safeguarding animal welfare at the end of the transition period

On 31 December 2020, the UK will leave the European single market and customs union. Whilst Northern Ireland will continue to apply EU law in a range of areas, including sanitary and phytosanitary (SPS) and farm animal welfare rules\(^1\), Great Britain will constitute an entirely separate regulatory territory, with Westminster, Cardiff Bay and Holyrood free to diverge from existing standards.

This change will impact on how animals, animal derived products, veterinary medicines and animal feed are moved and traded. It is therefore crucial that farmers, animal keepers, veterinarians, traders and government agencies are fully prepared so that animal welfare is not compromised as a result.

**Key areas of concern**

**Food and feed**

Great Britain imports more than it exports for all animal derived products other than milk, with 73% of all agri-food imports coming from the EU\(^2\). The EU currently has high tariff rates for commonly imported food such as dried egg products, chicken meat and pig meat of 40-70% to limit imports and ensure the EU’s high welfare standards can be maintained. The EU has also agreed bans on certain practices for human and animal health reasons, such as a ban on the use of ractopamine in pig production, of hormones in beef cattle, BST in dairy cattle, washing of chicken in anything other than water (thus banning chlorine) and from 2022 of any antibiotic to promote growth or increase yield. These include import bans on products made with these methods.

In May 2020, the UK Government published its Most Favoured Nation (MFN) tariff rates that will be applied to any territories with which it has not agreed a free trade agreement (FTA), including the EU\(^3\). The prior MFN rates (as existed within the European Customs Union) are not being reduced by any significant extent on beef, lamb, pork or eggs. However, if the British government agrees to lower tariffs during FTA negotiations for most animal based products without any conditions linked to animal welfare, for example with the USA, or relaxes its rules on imported products, it will undermine production of these products within Great Britain. Furthermore, the UK as a whole produces the equivalent of only 61% of all the food it consumes. Once exports are taken into account, it imports half of all food that is consumed, with 30% coming from the EU, and another 11% presently comes from non-EU countries under

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\(^1\) Article 5(4), Protocol on Ireland/Northern Ireland (for a full list of provisions of EU law that will have continued application in Northern Ireland, see Annex 2 of the Protocol)


the terms of trade deals negotiated by the EU. Disruption to current supply chains will therefore inevitably create pressure for a higher proportion of food to be imported from non-EU countries — including from countries where animal welfare standards are much lower — thus also undercutting domestic farm animal welfare standards within England, Wales and Scotland.

The UK is also net importer of animal feed or ingredients for animal feed, with 60% being imported from the EU at present. Any severe disruption to supply chains could leave farms unable to adequately feed their livestock. Similarly, all pet foods in Great Britain are made from some EU ingredients or are imported, and shortages in supply could also lead to price rises.

**Veterinary medicines**

Whilst veterinary medicines that have been previously authorised for veterinary use within Great Britain either by the European Medicines Agency (EMA) or through processes of mutual recognition will remain authorised, it is not clear whether new medicines will be able to gain authorisations as quickly. In particular, clarification is needed as to whether the Veterinary Medicines Directorate will have the additional capacity to undertake new authorisations.

The import of veterinary medicines made in the EU, and many component substances that form the basis of such medicines that are manufactured within Great Britain, could face tariffs and possible delays in supply. Any disruption that reduces, delays or stops the supply of medicines for veterinary use would reduce the ability to prevent and control disease outbreaks within Great Britain, with potential harm to animal health and welfare, the environment and wider food safety and availability, as well as, in the case of zoonotic diseases, posing a risk to human health.

**Animal movements**

Given the new processes that will be needed for moving live animals between Great Britain and both the EU and Northern Ireland (transporter authorisations, registration on relevant import notification systems, animal health certificates and veterinary checks, customs declarations and checks, entry/exit declarations), delays are expected at ports — notably at the Channel ports. Research by Imperial College London has shown that two extra minutes spent on each vehicle at the Port of Dover could more than triple the existing queues on the M20/A20, with nearly five hours of traffic delays at peak times. Furthermore, experience from border control posts on the EU’s other external borders shows that further delays can be expected at the port itself. For example, animals, on average, experience delays of at least six hours in

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5 HMG: Food Statistics in your pocket 2017 - Global and UK supply, 9 October 2018
6 ONS: Trade in goods, country-by-commodity experimental data: 2011 to 2016
7 Food and Drink, Veterinary Medicines and Residues (Amendment etc.) (EU Exit) Regulations 2019
8 Dr Han: Post-Brexit impact analysis on M20/A20 motorway congestion (Imperial College London/BBC), 2018
vehicles at the BCP when crossing from the EU into Turkey\(^9\). Any significant delays, in addition to the increased time for the new checks, will invariably cause stress for the animals involved.

Furthermore, specific concerns exist around the movement of equines between the island of Ireland, Great Britain and the European mainland. Hitherto, all equines, other than those destined for slaughter, could travel without veterinary health certification under the Tripartite Agreement (TPA) — a derogation to the EU law governing the movement of equines — between France and the UK and Ireland. From January 2021, additional tests and certification will be required, with time needed to undertake these. Equines would be required to enter the EU through a dedicated Border Control Post. No such posts exist at the ports of Belfast or Dublin, although the Government of Ireland has stated that Dublin and Rosslare Ports will be authorised to take all equines at the end of the transition period. On the European mainland, a new post has been constructed in Calais, and there are existing BCPs at both Rotterdam and Ostend. There are also existing BCPs at a number of airports for equines, including Ostend, Schiphol, Dublin and Shannon, although it is currently unclear whether air travel will be an economically viable option for the majority of equine movements into the EU or Northern Ireland. Whilst only ten percent of consignments with ten equines or more need to be checked entering the EU or Northern Ireland, it is likely all animals will need to be unloaded if there is no way to access them on the transport vehicle. Without appropriate trained personnel, such procedures are likely to compromise equine welfare.

Within Great Britain, the only designated control posts that exist catering for equines are at Heathrow Airport, Gatwick Airport and Stansted Airports, and it is unclear in what form, if any, these will remain after the end of the transition period. This raises questions over the animal health regime that will be applied on the British mainland from January 2021 onwards.

**Animals in science**

Whilst central government has committed to establishing a national regulatory framework and building domestic capacity to deliver functions currently performed by the European Chemicals Agency, there are ongoing issues around the ownership of testing data by companies within Great Britain\(^10\). Under one assessment, British companies do not own the data for roughly three-quarters of the chemicals covered by the EU’s REACH regulation, meaning that they would need to reproduce a lot of the tests that have already been undertaken. This risk of increased animal testing has also been acknowledged by HMG\(^11\), but it is still unclear what strategy is in place to ensure that data covering those chemicals covered by REACH is captured before the end of the year. This will impact on the chemical industry’s exports from Great Britain

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\(^9\) European Commission (DG SANTE): Final report of a fact finding mission carried out in Turkey from 5 September to 8 September 2017 on animal welfare during transport to non-EU countries (DG(SANTE) 2017-6110)

\(^10\) Companies in NI will continue to have access to REACH under the provisions of Annex 2 of the NI Protocol

\(^11\) Evidence to the House of Lords EU Energy and Environment Sub-Committee by Thérèse Coffey, 18 July 2018
to the EU/Northern Ireland, as without an equivalence agreement double testing may have to occur, thereby limiting the export market potential for British companies.

Recommendations

Given the scale of the challenges outlined above and the limited time available before the end of the year, the following actions constitute the absolute minimum that needs to be done to ensure that animal welfare is not compromised.

Food and feed

- Extra financial support mechanisms should be put in place to cushion domestic producers that adhere to higher welfare standards, to avoid them being adversely impacted by any increase in animal derived imports from territories with lower welfare standards
- MFN tariffs on animal based products should not be lowered to a point where imported products produced to lower or illegal standards are competitive against British products
- In trade negotiations with third parties, the UK should only offer trade preferences on animal based products on the condition that imported products respect animal welfare standards applied in Great Britain
- Advice should be provided to animal keepers (including pet owners) on stockpiling animal feed/food.
- Central and devolved governments (in Great Britain) should ensure that, where possible, reserves of farm animal feed are stockpiled in case of any initial delays to supply chains.

Veterinary medicines

- Government should work with industry to ensure that stockpiling matches the 4-12 weeks' worth of supply that was prepared in March 2019.
- Government should further explore the use of air freight and the special import scheme as ways to mitigate risks associated with veterinary medicine availability issues and develop a strategy accordingly for a worst case scenario.

Animal movements

- New Border Control Posts, both for farm animals, and specifically for equines, must be constructed at the Ports of Belfast, Larne and Warrenpoint. In addition, Great Britain should have further designated control posts to conduct intelligence led checks, and occasional spot checks on entry. This will ensure the welfare of animals entering Great Britain is protected and biosecurity is not compromised. These posts should include sufficient unloading areas at port and lairages close by where animals can be kept in case of delays or border infractions
- Dedicated rest areas must be established for animals alongside major transportation routes to ports and at the ports themselves, thereby ensuring that there is capacity for animals to be unloaded during any delays.
- Enhanced communications should be provided to pet owners on the need for pet passports between Great Britain and Northern Ireland from January 2021,
and to equine owners on the process for moving horses between Great Britain and the EU / Northern Ireland, and vice-versa.

**Animals in science**

- Government should work with industry to ensure access to relevant testing data for chemicals covered by REACH, with the clear objective of ensuring that companies based in Great Britain have access to all information that they need by the end of the year.
- Mutual equivalence on animal testing to be agreed with the EU to ensure no double testing involving animals.

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**About the UK-EU (Animal Welfare) Taskforce**

The following organisations work together in a coalition to protect and advance animal welfare as the new relationship between the UK and the EU develops:

Animal Defenders International  
Animal Protection Agency  
Compassion in World Farming  
One Kind  
RSPCA  
The Donkey Sanctuary  
USPCA  
World Animal Protection  
Animal Equality UK  
World Horse Welfare  
Catholic Concern for Animals  
Four Paws